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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,884	01/28/2002	Yasuhito Kobayashi	GNE470A	2045

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EXAMINER
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TRAN, VINCENT HUY

ART UNIT	PAPER NUMBER
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2115

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/055,884

Applicant(s)

KOBAYASHI

Examiner

Vincent T. Tran

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 7/07/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4, 8 and 12 is/are allowed.
- 6) ☒ Claim(s) 1, 5, 9, 13-15 and 19-21 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 6, 7, 10, 11, 16-18, 22-24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

20

### DETAILED ACTION

1. Claims 1-24 are pending for examine.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1, 5, 9, 13-15, 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Migita U.S. Patent 5,915,118.

4. As per claim 1, 5, 19, Migita discloses a power-saving task processing system comprising:

a remaining power detector for detecting a remaining power of a battery; the remaining power detector outputting a detection result about a value or state of the remaining power of the battery [col. 7 lines 23-26, lines 35-40];

a motion information storage for storing a motion information table [fig. 9]; the motion information table defining a relationship between values or states of the remaining power of the battery on execution of a task<sup>1</sup> and a plurality of processes for said task [col. 8 lines 29-41], each of the plurality of processes corresponding to a different value or state of the remaining power of

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<sup>1</sup> The shutdown or terminating process of a system.

the battery and for which complete execution is ensured at the respective values or states of the remaining power of the battery [col. 8 lines 23-26; col. 11 lines 1-8]; and

a task controller for controlling execution of tasks to be executed [OS 12 fig. 8; col. 7 lines 17-18]; wherein when the task controller executes a task [the shutdown or terminating process of a system - col. 8 lines 1-5], the task controller chooses and executes one of the plurality of processes according to the detection result of the remaining power detector [col. 9 lines 44-52].

5. As per claim 9, Migita teaches the system for power saving task processing. As such, Migita teaches the computer program produce containing the computer code for operating the system.

6. As per claim 13, Migita discloses a content of each of the plurality of processes differs according to the detected remaining power [fig. 9].

7. As per claim 14, Migita discloses each of the plurality of processes progressively define alternate content requiring less power consumption for completing said task [fig. 9].

8. As per claim 15, Migita discloses an amount of content of each of the plurality of processes corresponds to the amount of detected remaining power [fig. 9].

9. As per claim 20, Migita discloses the content of each of the plurality of processes differs according to the detected remaining power [table of fig. 9].

10. As per claim 21, Migita discloses the amount of content of each of the plurality of processes corresponds to the amount of detected remaining power [table of fig. 9].

11. Claims 1, 5, 9, 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Inoue et al U.S. Patent 6,415,203.

12. As per claim 1, 5, 19, Inoue et al disclose a power-saving task processing system comprising:

a remaining power detector for detecting a remaining power of a battery; the remaining power detector outputting a detection result about a value or state of the remaining power of the battery [col. 5 lines 37-40];

Inoue et al disclose a motion information defining a relationship between values or states of the remaining power of the battery on execution of a task and a plurality of processes [the motion is based on the determination of remaining power] for said task, each of the plurality of processes corresponding to a different value or state of the remaining power of the battery and for which complete execution is ensured at the respective values or states of the remaining power of the battery [col. 5 lines 37-45, 50-65; col. 15 lines 3-24, fig. 19]. Inoue et al do not explicitly teach a table for storing the motion information. However, this feature is deemed to be inherent to the Inoue et al system as lines 41-45, lines 57-59, and SP3 of fig. 19 show that the motion

Art Unit: 2115

information has been predefined<sup>2</sup> and the controller decides the motion based on the determined results such as the remaining battery. The Inoue et al system would be inoperative if there is not a table that define the relationship between the motion information and the remaining of the battery.

a task controller for controlling execution of tasks to be executed [10 fig. 5]; wherein when the task controller executes a task, the task controller chooses and executes one of the plurality of processes according to the detection result of the remaining power detector [col. 57-59; fig. 19; col. 16 line 66 to col. 17 line 22].

13. As per claim 20, Inoue et al disclose the content of each of the polarity of processes differs according to the detected remaining power [SP3 fig. 19 and col. 5 lines 37-45; col. 17 lines 9-32].

14. As per claim 21, Inoue et al Migita disclose the amount of content of each of the plurality of processes corresponds to the amount of detected remaining power [SP3 fig. 19 and col. 5 lines 37-45].

### ***Allowable Subject Matter***

15. Claims 4, 8, 12 are allowed.

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<sup>2</sup> The relationship are stored in advance.

16. Claims 2, 3, 6, 7, 10, 11, 16-18, 22-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

17. Applicant's arguments filed 7/7/2005, with respect to the rejection(s) of claim(s) 1, 5, 9, 19-21 have been fully considered and are persuasive. Therefore, the final rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Migita, Inoue et al, and Watanabe.

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Watanabe U.S. Patent 6,343,191: col. 3 lines 38-67].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent T. Tran whose telephone number is (571) 272-7210. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas c. Lee can be reached on (571) 272-3667. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vincent Tran

  
